

## REMARKS

### INTRODUCTION:

In accordance with the foregoing, claims 1-7 have been canceled, without prejudice or disclaimer, and claims 8-11 have been added. No new matter is presented herein.

Claims 8-11 are pending and under consideration.

### NEW CLAIMS

As pointed out in the Examiner interview, new claims 8-11 at least set forth particular features not previously disclosed or suggested in any of the previously cited references.

Particularly, independent claim 8 sets forth a medium separately including a Lead-in area, a Lead-out area, a user area, and a recording information area having a Power Calibration Area (PCA) and a Recording Management Area (RMA). Thus, the RMA area is particularly distinguished from the separate lead-in area, as, arguably, some prior art could store some write protection in a lead-in area.

In addition, independent claim 8 further requires the storing of write protection information to control protection of data, including the entire recording medium, except for the RMA, from unwanted writing or erasing. Thus, distinguishable from other write protection schemes where individual data is protected, the entire recording medium is protected, except for the claimed RMA area.

These claimed features, in conjunction with the particularly detailed features of the recording medium, patentably distinguish new claims 8-11 over previously cited prior art.

Therefore, for at least the above, it is respectfully submitted that claims 8-11 are in proper condition for allowance.

### POTENTIAL DOUBLE PATENTING

Applicants are presently reviewing the present application and related applications for potential obviousness-type double patenting issues. Terminal disclaimers will be filed in the near future, at least where there may be potential double patenting issues, merely to remove such issues and advance the present application to allowance in a speedy manner.

## PREVIOUSLY CITED REFERENCES

Canceled claims 1 and 2 stood rejected under 35 USC §103(a), as being obvious over Kuroda et al., U.S. Patent No. 5,946,277, in view of Verboom et al., 4,606,016, and in view of Ro et al., U.S. 6,288,989 or Ueda et al., WO97/141470. Therefore, to further distinguish the presently claimed invention, the following brief comments are presented.

Kuroda et al. would appear to be directed to recording to a recording medium and may access an RMD area of the recording medium to determine whether an address, indicating the previous last recording address, is present on the recording medium. If no address is recorded in the RMD area then the recording medium hasn't been recorded to before. If an address is recorded in the RMD area then new recording can commence directly after that address. Thus, regardless of the interpretation of Kuroda et al., Kuroda et al. only discloses accessing an RMD or RMA area to detect the presence of a recorded address for future recording to the respective recording medium.

Although the outstanding Office Action had relied on Ueda et al. or Ro et al. to disclose either "the ability of having additional control (scrambling) to ensure proper copying" or "[t]he ability of placing write protection data in another location-lead in, along with other management information," respectively, it is submitted that these references are only being used to generally disclose repeated recording and/or write protection, e.g., regarding Ro et al., the Office Action states "[n]ote the particular ability of the protection ability."

Lastly, the outstanding Office Action further relies on Verboom et al. to disclose write protection being used in a recording medium.

Thus, the outstanding Office Action would appear to be attempting to rely on either of Ro et al., Verboom et al., or Ueda et al. to disclose write protection information in an optical recording medium field, and broadly incorporate the same into Kuroda et al. to disclose the presently claimed invention.

Regardless of the disclosures of the cited references, it is respectfully at least submitted that none of Ro et al., Verboom et al., or Ueda et al., disclose or suggest modifying Kuroda et al. to a) now store write protection information in RMA or RMD areas; and b) enable write protection of a medium in Kuroda et al. based on that stored RMA or RMD data, along with the previously recited features.

Kuroda et al., at the most, only discloses accessing the RMD and/or RMA areas, with

that accessing being for a reason completely unrelated to write protection. There would not appear to be any reason to modify Kuroda et al. to now further access the RMD and/or RMA areas for write protection information. At most, the cited Ro et al., Verboom et al., and Ueda et al. would only teach one skilled in the art to add their respective types of protection, none of which detail storing the same in an RMD and/or RMA areas.

Therefore, without relinquishing the allowability of the canceled claims, it is respectfully submitted that new claims 8-11 are at least allowable over the presently cited prior art.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

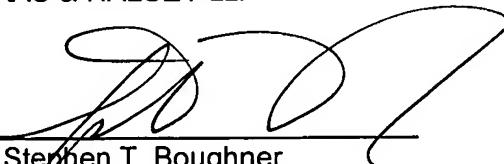
Respectfully submitted,

STAAS & HALSEY LLP

Date:

4/1/04

By:

  
Stephen T. Boughner  
Registration No. 45,317

1201 New York Avenue, N.W., Suite 700  
Washington, D.C. 20001  
(202) 434-1500  
(202) 434-1501